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TAGS: [PREL](#) [PHUM](#) [UNSC](#) [BM](#)  
SUBJECT: OBJECTIVES FOR BURMA IN THE SECURITY COUNCIL

Classified By: IO Acting A/S James Warlick, Reasons 1.4 (b) and (d)

¶1. (C) Summary and Action Request - Department requests USUN share with the UK and French missions U.S. comments on the papers that each mission shared with USUN regarding short-term and long-term benchmarks for the Burmese regime,s cooperation with UN Special Adviser Ibrahim Gambari.

OBJECTIVES  
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¶2. (C) Department requests USUN to pursue the following objectives:

-- Share with the UK and French missions the papers in para 3 and 4 below, which reflect Department comments to papers shared by each mission with USUN;

-- Encourage France and the UK to share with Gambari,s office the French-drafted short-term benchmarks paper with U.S. comments (per para 3);

-- Express our concern that the UK-drafted, long-term benchmarks paper guide next steps among the P3 but not be shared with others. The benchmarks in Part 1 can be extracted and shared as envisioned in the UK paper with Gambari after his return from Burma;

-- Seek more information from Gambari,s staff and/or others on the reference in the French-drafted paper to the two commissions he has proposed, one on poverty alleviation and the other for a constitutional review.

-- Emphasize to France, UK, and Gambari,s staff that creation of a poverty alleviation commission should not substitute for or precede action on a political dialogue and release of political prisoners, and that any such proposal to the Burmese must be tied to progress toward a democratic transition; and,

-- Seek clarification on types of international assistance that France and the UK are contemplating in the event that Gambari is able to make significant progress during his upcoming visit (see third para from the end in Part One of the UK-drafted paper below).

FRENCH DRAFTED PAPER  
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¶3. (SBU) Begin text of the edited version of the French-drafted paper on short-term benchmarks for the Burmese regime,s cooperation with Gambari,s mission:

Benchmarks for first stage success of Gambari mission:

The Security Council in its 11 October Statement (PRST/2007/137) has spelled out clear expectations:

-- &Full cooperation with Mr. Gambari by the government of Myanmar and all parties concerned;8

-- &Early release of all political prisoners and remaining detainees;8

-- Measures &towards a de-escalation of the situation;8

-- Launching of a &genuine dialogue with ASSK and all concerned parties and ethnic groups;8

-- &Consider seriously Mr. Gambari,s recommendations and proposals.8

First steps to address those expectations should be, notably, immediate or short-term progress on the following points:

(1) A meaningful program with full access for Mr. Gambari to all relevant interlocutors:

a) Mr. Gambari allowed quick entry to Burma and conducts multiple unimpeded meetings with ASSK, Than Shwe, Aung Kyi, democracy activists, ethnic minorities and other stakeholders to establish inclusive dialogue.

b) Mr. Gambari is permitted to remain in the country for as long as he requires and has control of his own schedule.

c) Mr. Gambari is permitted unrestricted movement in Burma to conduct his good offices mission.

d) Mr. Gambari is allowed to visit any prisoners requested.

e) Mr. Gambari is given unrestricted re-entry for continuing engagement.

(2) &Concrete actions and tangible results8 for Gambari's mission (Note: The P3 will need to clarify the time-frame in which we expect the actions below to occur):

f) Unconditional release of ASSK and other political prisoners and recent detainees whose participation in an inclusive dialogue would be critical (e.g. ethnic minority leaders, National League for Democracy members, 88 Generation Students). (Note: Short of unconditional release, relaxation of the terms of confinement for ASSK and others so that they can consult with political colleagues and associates could be an acceptable short-term measure, but only if ASSK endorses this arrangement.)

g) Public commitment by the authorities to an inclusive dialogue with ASSK, NLD and ethnic groups, and other democracy activists. First session of substantive discussions between ASSK and the authorities.

h) UN Special Rapporteur for Human Rights Pinheiro given unrestricted access to prisoners and ability to fulfill his mandate according to his own terms during his visit to Burma.

i) Agreement to allow ICRC or other independent organizations access to determine numbers of detainees, location, condition and family visiting rights.

j) Releases of prominent political prisoners and recent detainees.

k) Other &de-escalatiQ measures8 such as cessation of politically-motivated arrests, information on missing persons, investigation of human rights violations.

l) Progress in obtaining access of humanitarian assistance organizations to all persons in need throughout the country.

End of French text.

UK-DRAFTED PAPER

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14. (SBU) Begin text of edited version of UK-drafted paper on

long-term benchmarks for the Burmese regime,s cooperation with Gambari:

### P3 DISCUSSION PAPER ON BURMA AND NEXT STEPS

This non-paper explores action the UNSC might contemplate on Burma, depending on progress or lack of it in the Gambari process over the next few months.

Part One of the paper concentrates on progress we want to see in the next phase. We should communicate these benchmarks to the UN and others with influence on Burma, e.g. China and ASEAN states, while also telling them that if these steps forward are not realized, the Council will need to consider further action.

Part Two of the paper looks at possible elements/measures for a UNSCR to encapsulate such further action.

#### PART ONE

-What we want to see in Burma:

--We want a genuine dialogue between the regime and the opposition that results in an orderly transition to a more inclusive, democratic government, without threatening either the territorial integrity of the state or the stability of the region.

--We want a demonstrable improvement in the human rights situation.

--This does mean the release of all political prisoners as part of the transition process. This does not mean external toppling of the regime or dismantling of the army. As ASSK recognizes, the army is part of the fabric of the nation. She and the opposition have made clear their willingness to work with the SPDC to achieve positive, stable and orderly change. There is a recognition that the military will need to be part of this process, but will eventually need to leave the political stage, submit to civilian authority, and see its role in the economy greatly reduced.

-The Process-

The UNSG,s good offices mission pursued by Gambari should lead to a genuine, inclusive and continuing national reconciliation dialogue with the clear objective of transition to civilian, democratic rule.

Benchmarks for first stage success of Gambari mission:

-- a) Intermediary Aung Kyi holds first meeting/s with ASSK prior to the return of Prof. Gambari and continuing thereafter.

-- b) Gambari allowed entry quickly to Burma and meets ASSK, Than Shwe and Aung Kyi, and also ethnic minorities and other stakeholders for the dialogue.

-- c) Gambari is permitted to remain in the country for as long as he requires and to meet with anyone requested, and is given unrestricted re-entry for continuing engagement. A UN office is established to support him, including an independent representative in Rangoon, reporting directly to Gambari.

-- d) Gambari allowed to visit prisoners and/or secures agreement to ICRC-supervised or other independent access (not Myanmar Red Cross or other government NGOs) to determine numbers, location condition and family visiting rights.

-- e) Unconditional release of ASSK and other political prisoners and recent detainees whose participation in an inclusive dialogue would be critical (e.g. ethnic minority leaders, National League for Democracy members, 88 Generation Students). (Note: Short of unconditional release, relaxation of the terms of confinement for ASSK and others so that they

can consult with political colleagues and associates could be an acceptable short-term measure, but only if ASSK endorses this arrangement.)

-- f) UN Special Rapporteur for Human Rights Pinheiro allowed to visit Burma and given access to detainees and all political actors requested. Regime must meet the requirements laid out by the Special Representative to fulfill his international mandate.

-- g) Agreement by the regime not to proceed with constitution drafting until there is agreement on a way to make the drafting process more inclusive.

-- h) Establishment and convening of a first session of a formal mechanism for political dialogue to include representatives, all authorized to negotiate, of the SPDC and the opposition including ASSK, other opposition leaders and ethnic minority representatives to agree on a framework for the process, including an agenda agreed upon by all sides that addresses both political and economic problems. (Note: The UK has already submitted separately to the UN a non-paper with a suggested framework and agenda. End note.)

#### -Timelines-

We should expect to achieve a) to g) by the end of 2007, and h) in early 2008:

-- Action in the Council: what happens if the steps are taken?

-- Any proposals for action in the Council will need to be judged against our assessment of the regime's cooperation with Gambari, or lack thereof, in the next few weeks, including, crucially whether it initiates a dialogue and allows Aung San Suu Kyi to consult freely with her colleagues, and whether key parties in the dialogue, including Aung San Suu Kyi, express satisfaction with the process.

-- If he achieves significant progress on items (a) to (f) above in his forthcoming visit, we could envisage a UNSC reaction, welcoming the progress and looking forward to further steps, e.g. first session of the dialogue, but also calling for the release of all political prisoners and for direct dialogue to continue, including agreement on timelines for transition to an interim central government of national unity.

(Note: We think it is premature to consider relaxation of pressure and to engage in any substantive discussion about possible assistance packages until the regime has clearly demonstrated a serious intention to engage in an inclusive dialogue and that that process is well underway (i.e. step h) above.)

#### PART TWO: DRAFT UNSCR ELEMENTS

What happens if the steps are not taken in this time-frame?

If the P3 agrees that there has been no progress or insufficient progress on a) to f), the P3 should discuss circulating a draft UNSCR:

-- To express discontent with the failure to make concessions/cooperate with Gambari,

-- To spell out the benchmarks of forward momentum that the UNSC wants to see (as above),

-- To give a time-frame by which we would expect (a) to (f) to be achieved,

-- To make clear that in the event of a) to f) not happening within that time-frame, the UNSC will be obliged to introduce measures.

Options for Measures:

(Note: Measures should be proportionate and commensurate with the pressure required to persuade Burma to meet conditions a) through f). These measures should be capable of being suspended once the regime starts to make real progress on a National Reconciliation process and reversible in the event that the process reaches a positive conclusion.)

#### Chapter VII measures:

##### Embargo on arms and related material:

- Prohibition on technical training or assistance related to the supply of arms and related material;
- Assets freeze on named members of the Burmese Government;
- Travel ban on named members of the Burmese Government;
- A Sanctions Committee established to investigate and report to the UNSC any violations of the above;
- A Group of Experts established to support the Committee in monitoring implementation of the measures.

##### Other measures:

- Encouraging/mandating UN Special Advisers and Special Rapporteur to visit/report;
- Establishment of a Commission of Inquiry into human rights abuses and serious crimes.

Also for discussion: Call upon all states and international financial institutions not to enter into new commitments for grants, financial assistance and concessional loans to the Burmese Government except for humanitarian purposes.

- Call upon all States to cease all forms of government support for trade and investment with and to Burma.

#### STRATEGY WITH UN PARTNERS:

After agreeing amongst themselves, the P3 should begin now to discuss Part One of this paper, the benchmarks of first stage success, with the UNSG/Gambari, and then, as appropriate, should also set them out to the Chinese and Russians, the key ASEAN members and the rest of the proposed Core Group.

The P3 internally should also start to discuss Part Two of this paper, measures for a UNSCR, and agree amongst themselves on priorities and also how much they think the UNSC market might bear.

We should then discuss with other Core Group partners the need for progress, e.g. by the end of the year, making it clear that the next stage should those deadlines not be met would be to introduce a UNSCR.

End UK text.  
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